

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

CITIZENS INSURANCE COMPANY of )  
AMERICA, a Michigan corporation, )  
                                       )  
                                       )  
                                       )  
Plaintiff,                         )  
                                       )  
vs.                                 ) Civil Action No.: 1:23-cv-00456  
                                       )  
LH MERCANTILE, LLC dba PET SUPPLIES )  
PLUS, and APIPHANNI ANTHONY, individually )  
and on behalf of all others similarly situated, )  
                                       )  
                                       )  
Defendants.                         )

**PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE**

Plaintiff Citizens Insurance Company of America (“Citizens”), by its counsel of record, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), voluntary dismiss this action, without prejudice, and in support states as follows:

1. On January 25, 2023, Plaintiff filed the instant declaratory judgment action seeking a declaration that it has no duty to defend or indemnify LH Mercantile, LLC dba Pet Supplies Plus (“LH”) in connection with an underlying putative class action suit filed by Apiphanni Anthony against LH.

2. Defendant LH has not filed an appearance or answer in this action, nor has it asserted any counterclaim against Plaintiff.

3. Defendant Anthony has not yet been served with a summons and Complaint in this action, has not filed an appearance or answer in this action, nor has she asserted any counterclaim against Plaintiff.

4. Accordingly, Plaintiff Citizens Insurance Company of America hereby dismisses this lawsuit in its entirety against all Defendants, without prejudice.

Respectfully submitted,

Citizens Insurance Company of America

By: /s/ Kelly M. Ognibene

One of its Attorneys

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